

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TYRUS COBB, III,)
)
Plaintiff,)
)
vs.) Case No. 4:05CV2056 RWS
)
BAYSHORE MANAGEMENT CO., LLC,)
)
Defendant.)

MEMORANDUM AND ORDER

On January 10, 2007, Plaintiff Tyrus Cobb, III received a jury verdict against Defendant Bayshore Management Co., LLC under the Fair Housing Act, 42 U.S.C. § 3601, et seq. After judgment was entered Cobb filed a motion for an award of attorney's fees. Bayshore objects to Cobb's motion only on the issue of the hourly rate that should be applied to the fees. Because I find that a \$200.00 per hour fee is the reasonable fee rate I shall award Cobb attorneys fees based on that hourly rate of compensation.

Under the American Rule, parties to a lawsuit generally pay their own attorney fees absent an explicit statutory authority to the contrary. Sierra Club v. City of Little Rock, 351 F.3d 840, 844-845 (8th Cir. 2003). The Fair Housing Act, under 42 U.S.C. § 3613(c)(2), contains such authority and allows an award of attorney's fees to the prevailing party.

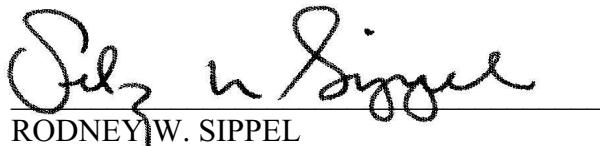
"The starting point in determining attorney fees is the lodestar, which is calculated by multiplying the number of hours reasonably expended by the reasonable hourly rates." Hanig v. Lee, 415 F.3d 822, 825 (8th Cir. 2005)(internal quotations and citation omitted). "When determining reasonable hourly rates, district courts may rely on their own experience and knowledge of prevailing market rates." Id.

Cobb's motion seeks attorney fees for 205.9 hours of work at the rate of \$300.00 per hour for a total of \$61,770.00. Bayshore does not object to the hours of legal services that Cobb's counsel spent on this case. However, Bayshore does assert that the hourly fee of \$300.00 is not reasonable.

I find that an hourly fee of \$200.00 is reasonable based on fees charged by attorney's of Cobb's counsel's experience involved in similar civil rights litigation in Missouri. At the rate of \$200.00 per hour for 205.9 hours of work the total attorney fee award is \$41,180.00.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff Tyrus Cobb, III's motion for attorney's fees [#65] is **GRANTED** in the amount of \$41,180.00.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 14th day of June, 2007.